ENTERED

May 21, 2018 David J. Bradley, Clerk

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS GALVESTON DIVISION

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§	CIVIL ACTION NO. 3:16-CV-00137
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ORDER ADOPTING MAGISTRATE JUDGE'S MEMORANDUM AND RECOMMENDATION

Pending before the Court are Johnnetta H. Punch's Objections to the Magistrate Judge's Memorandum and Recommendation ("Objections"). On March 8, 2018, this case was referred to Judge Andrew M. Edison pursuant to 28 U.S.C. § 636(b)(1). On April 11, 2018, Judge Edison filed a Memorandum and Recommendation recommending that the Defendants' Motion for Summary Judgment and Motion to Dismiss on MSPB Grounds be **GRANTED** and Defendants' Motion for Summary Judgment on Substantive Grounds be **DENIED AS MOOT**.

On April 24, 2018, Plaintiff filed her Objections. In accordance with 28 U.S.C. § 636(b)(1)(c), this Court is required to "make a de novo determination of those portions of the [magistrate judge's] report or specified proposed findings or recommendations to which objection [has been] made." After conducting this de novo review, the Court may

"accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." *Id.*; see also FED. R. CIV. P. 72(b)(3).

The Court has carefully considered the Objections; the Memorandum and Recommendation; the pleadings and summary judgment record; and the briefing and arguments of the parties. The Court ACCEPTS Judge Edison's Memorandum and Recommendation and ADOPTS it as the opinion of the Court. It is therefore ORDERED that:

- (1) The Plaintiff's Objections to Magistrate Judge's Memorandum and Recommendation are **OVERRULED**;
- (2) Defendants' Motion for Summary Judgment and Motion to Dismiss on MSPB Grounds is **GRANTED**;
- (3) Defendants' Motion for Summary Judgment on Substantive Grounds is **DENIED AS MOOT**; and
- (4) This case is **DISMISSED**.
- (5) All other pending motions are DENIED.

SIGNED at Galveston, Texas this 18 day of May, 2018.

George C. Hanks, Jr.

United States District Judge